



Department of Justice

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TWO NEW YORK SUPPLIERS OF COMMERCIAL PRINTING PLEAD GUILTY TO CONSPIRACY CHARGES

WASHINGTON, D.C. -- Two New York suppliers of commercial printing have pleaded guilty to conspiracy charges relating to a kickback scheme at Impact Communications, Inc., a Manhattan-based advertising agency, the Department of Justice announced.

In charges filed today in U.S. District Court in Manhattan, Bertram J. Cohen of Quogue, New York, the owner of Darbert Offset Corp., a Manhattan printing company, pleaded guilty to one count of conspiracy to commit mail fraud and one count of conspiracy to defraud the IRS and to commit tax fraud. On September 25, Howard Marlin, a resident of Manhattan and the owner of the Manhattan company Caysun Graphics Ltd., a broker of printing and related services, also pleaded guilty to one count of conspiracy to commit mail fraud and one count of conspiracy to defraud the IRS and to commit tax fraud.

According to the charges, Marlin and Cohen, along with others, devised a scheme in which each paid or authorized payment of kickbacks to a purchasing agent at Impact in order to ensure that each of their companies would receive a portion of the total value of contracts for printed advertising materials awarded by Impact. Marlin and Cohen also caused their respective companies to file U.S. Income Tax Returns that reflected fictitious business expenses and personal tax returns that did not reflect cash they had received as a result of their tax scheme.

"These charges demonstrate the Antitrust Division's resolve to pursue those who try to defraud American businesses and consumers and our continuing efforts in the graphics and advertising industry," said James M. Griffin, Deputy Assistant Attorney General in charge of the Division's Criminal Enforcement Program.

The conspiracy charges, violations of 18 U.S.C. § 371, each carry a maximum penalty of five years imprisonment and a \$250,000 fine. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victim of the crime, if either of those amounts is greater than the statutory maximum fine. In addition, each defendant could be ordered to pay restitution to any victim for the full amount of that victim's loss.

The charges against Cohen and Marlin are the latest to arise out of an ongoing federal probe of bid rigging, commercial bribery, and tax-related offenses in the graphics materials and services and advertising industries. The investigation is being conducted by the Antitrust Division's New York Field Office, with the assistance of the Federal Bureau of Investigation and the Internal Revenue Service Criminal Investigation.

Anyone with information concerning bid rigging, bribery, tax offenses, or fraud in the graphic materials and services or advertising industry should contact the New York Field Office of the Antitrust Division at (212) 264-0679 or the New York Division of the FBI at (212) 384-3252.

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